

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Miguel A. Cardona, of Connecticut, to be Secretary of Education.

The PRESIDING OFFICER. The Democratic whip.

## RAISING THE MINIMUM WAGE

Mr. DURBIN. Madam President, back in 2017, before anyone had ever heard of COVID-19, our Republican colleagues could hardly vote fast enough for a \$1.9 trillion tax bill. Most of the benefits of that bill went to the wealthiest people in America—\$1.9 trillion in tax cuts, most of it to the ultrawealthy and large corporations. And of course there was little talk about the deficit and the debt when that was going on.

Now we are in the midst of a pandemic, and COVID-19 has killed more than half a million Americans. Americans are hurting. Our economy is hurting. Millions are unemployed. And our friends across the aisle are asking how little we can get away with doing at this moment in time. They want to know how much we can cut from President Joseph Biden's American Rescue Plan. Can we cut money to open schools? Can't we just wait? Let's just wait and see what happens. That is their question. How about cutting funds to help keep families from losing their homes? How about cutting the funds for vaccination sites? How low can we go?

One point nine trillion dollars in tax cuts for millionaires and billionaires—no problem. A President who denies the truth about a pandemic as it rages across America—no problem. But when Americans elect a new President with a mandate and a plan to finally break the back of this pandemic, get our economy back on its feet, get our kids back in schools, and actually help American families, suddenly a lot of folks on the other side of the aisle have lost interest.

Do you remember last year? I do. We discovered this COVID-19 and started to worry about it, as we should. In March of last year, we passed a bill that cost almost \$2 trillion—the largest spending bill in the history of the United States—under President Trump, and it got 96 votes in the Senate—96 votes. Every Democrat and every Republican Senator who voted, voted for it, and I was one of them. Did I stop and say: Wait a minute; President Trump may get credit for this. No. We had an American crisis, a challenge, and we needed to respond to it.

And then what happened in December of last year, while President Trump was still in office? The second COVID-19 rescue plan came through, some \$900 billion. I was one of those who were part of drawing it up, and I voted for it,

no questions asked. We were still in the midst of a pandemic. The economy was flat on its back. I didn't care that Donald Trump was still President; there was work to be done for America. Ninety-two Senators voted for that; 96 in March, 92 in December under President Trump.

Well, how many Republican Senators are now stepping up to help us with the American Rescue Plan that President Biden has proposed? I am still waiting. None so far. Now it has become a partisan exercise to talk about dealing with the real pandemic and economic crisis of this country.

What is going on in this Chamber? Have we decided now, since we have a new President of a different political faith, that the other side cannot support efforts to increase the amount of money for vaccines and distribution across America, to send a cash payment to families who are struggling to get by, to give unemployment benefits to millions of Americans when those benefits are scheduled to run out in just 2 weeks?

All we hear from the other side is: You know, we may be overspending here. We should have thought of this before.

Yes, you should have, and you didn't under a Republican President. Now it has become an issue.

A year ago, at the beginning of the pandemic, 96 to zero for a \$2 trillion COVID relief plan. Maybe if we had had an administration that wisely managed the COVID response, we wouldn't have been in that mess. Maybe if we had had a President who for the first year of this coronavirus wasn't making up stories that it is going to go away; it will disappear by Easter; it won't be a problem if everybody would just take a shot of Lysol; a new chemical I have discovered some of my friends are taking and all the rest—remember that? Remember those press conferences? And what was going on while the last President was ignoring the reality of that COVID-19 pandemic? America was getting sick, and Americans were dying.

We have 5 percent of the world's population and 20 percent of the COVID-19 deaths. What is going on here in a great nation like America? Well, for a year, we didn't get it together because we didn't have a President who accepted reality. Now we have a President who accepts reality and wants to do something about it. He was elected to lead, and he wants to lead.

Where is the Republican support? Democrats were there for the Trump plan; Republicans aren't there for the Biden plan. We wasted time and resources, but now President Biden wants to turn it around.

The American Rescue Plan, proposed by President Biden and passed by the House of Representatives last week without a single Republican vote, no Republican support for it, has the support of 80 percent of the American people—overwhelming majority of Democrats and Independents, even Repub-

licans. It turns out the only people in America who are against this approach of taking this pandemic seriously are the Republicans in the House of Representatives and apparently in the Senate.

Every day this Senate delays passing the Biden American Rescue Plan, more small businesses close their doors, workers lose their jobs, parents turn to food banks and soup kitchens to feed their families, and more and more families face homelessness.

One provision that was included in the House version of the American Rescue Plan will not be part of the Senate plan, and that is the gradual increase in the Federal minimum wage.

Now, I understand. The rules in the Senate, particularly when it comes to reconciliation, as conceived by the late Robert C. Byrd, are almost impossible to understand and defend. I get it. I am not blaming any one person for that. That is a reality, and I have been here for a while, and I have seen it. So currently we cannot offer the Federal minimum wage under the so-called reconciliation bill because of the Byrd rules.

Our Senate Parliamentarian ruled last week that passing a Federal minimum wage increase as part of the rescue plan is not permitted under those rules. I respect the Parliamentarian's judgment. I may disagree and I may be disappointed, but I respect her judgment. Our Republican friends should know this, however: Senate Democrats aren't going to give up on raising the minimum wage. The issue is not going away.

Do you know how long it has been since we raised the minimum wage in America? Twelve years. Twelve years. The Presiding Officer knows that. That is the last time we increased the Federal minimum wage.

Twenty-nine States have done something about it, but 21 have not, and we don't have a change in the Federal law. That is the longest that our Nation has ever gone without raising the minimum wage since Congress created that wage in 1938.

During this pandemic, billionaires—people like Jeff Bezos, Elon Musk, Bill Gates, Mark Zuckerberg—they have done pretty well. They have seen their net worth increase by billions, even tens of billions of dollars. How about middle-class families? What do they see? They see their savings dwindle, and they find it almost impossible to make ends meet.

Fortunately, as I said, many States are acting. Washington is not. In 29 States, including Illinois, the State minimum wage is higher than the Federal minimum wage. The Federal minimum wage is \$7.25 an hour. In Illinois, our State minimum wage is set to reach \$15 an hour by 2025, just like the Biden plan. Most States that have increased their minimum wage have done so because their State legislatures have come to the rescue. Some States, like Missouri and Arkansas, raised the minimum wage by ballot measures.

Americans support raising the minimum wage.

I see Senator LEAHY from Vermont has come to the floor. Remember when we used to have a colleague back there in the back row who would stand up and bellow about the minimum wage? His name was Ted Kennedy from Massachusetts. He didn't let a month go by or 2 months go by without reminding us that a lot of people were struggling to get by in this country and we sit here in Washington ignoring it, and that is why he would push for an increase in the minimum wage.

We are told that \$15 an hour is exorbitant by some and that it is going to hurt the economy. The truth is just the opposite. Raising the Federal minimum wage gradually to \$15 an hour will strengthen the American economy because minimum wage workers are most likely to spend the money they get on the necessities of life as soon as they get it—food, clothing, housing.

Last week, one of our Republican colleagues gave a speech and said that he worked for \$6 an hour when he was a kid and he is opposed to the \$15-an-hour minimum wage. Well, if you took that six bucks an hour and just matched it with inflation, it would be up over \$15 an hour today. Reminiscing about the “good old days” of \$6 an hour is only done by people who don't have to live on \$6 an hour.

Contrary to popular misconceptions, most minimum wage workers are not teenagers. According to the Economic Policy Institute, 59 percent of workers who would benefit from the Federal minimum wage are women—women. They are taking a beating in this pandemic. They stay at home to watch the kids who can't go to school, trying to deal with daycare that has closed down, losing their own jobs—that is the reality.

Many mothers—two-thirds of them are the sole or primary breadwinners in their family and count on the minimum wage. Nearly one in four workers who would receive a raise under the \$15 Federal minimum wage is a Black or Latina woman.

During this pandemic, America has relied on minimum wage workers to do the hard work and dangerous work in the pandemic. Do you want to know the real pandemic heroes? Do you want to reduce poverty and raise opportunity in America? Pay workers a living wage. Allow workers to share the economic prosperity they are creating with their dedication and labor.

At this moment, we may not have a path, but I hope we can find one. It is time for us to raise the minimum wage, to give the American workers the real wage they need to survive, and to show that we really do value the dignity of work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I want to associate myself with the words of the distinguished deputy lead-

er. Nobody has said it better. Nobody could. But in the meantime, we have to get up and vote.

Madam President, I am going to put in a quorum call for just a minute, and then I will take it off.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. DUCKWORTH). Without objection, it is so ordered.

#### IMPEACHMENT

Mr. LEAHY. Madam President, earlier this month, actually for the first time in—earlier last month, I should say, in February, for the first time in our Nation's history, the Senate convened as a Court of Impeachment to try a former President for a high crime and misdemeanor.

For 5 days, every Member of the Senate was here to hear presentations and arguments from an extraordinarily intelligent group of Congressmen and Congresswomen representing the House of Representatives. We also heard from counsel for former President Donald Trump. After listening to the compelling evidence presented by the House managers, I voted to convict President Trump for inciting the Capitol riots on January 6, and I will have a lot more to say about my vote to convict the former President in a later statement.

Today, though, I am going to speak about the unique role I had in this historic trial as its Presiding Officer. It is unique in the history of the Senate, and I thought for my fellow Senators and, also, for historical purposes I would like you all to know some of my feelings.

Now, I understand why some of my Republican friends were skeptical of a Democratic Senator presiding over the trial of a Republican former President. I noted the Constitution does not contemplate that the Chief Justice would preside over the impeachment trial of a former President, but I also note the impeachment process, no matter who presides, is inherently and often intensely divisive. Presidential impeachments have historically been partisan. Having a member of one particular party in the Chair presiding over the trial could understandably give some pause.

Now, as my fellow Senators know, I did not ask, I did not seek to preside over this trial, but I am occupying the constitutional office of the President pro tempore, and because I am, it was incumbent upon me to do so. A Court of Impeachment is not a civil or a criminal court; it is a constitutional court. And the President pro tempore, as a constitutional officer, has historically presided over impeachment trials of non-Presidents. As President Trump's term had expired before the trial began, the responsibility to pre-

side over this historic trial fell to me, as it would have anybody who would have been President pro tempore. I just happened to be.

I was not going to shirk my duty. My staff and I spent hundreds of hours poring over the constitutional background of these trials. I read transcripts. I read everything. And what I found is, throughout our Nation's history, each President pro tempore has almost without exception belonged to a political party, and each has no doubt had their own personal and political views on the matters before the Senate. But when presiding over the Senate, as I go back through history, I see Presidents pro tempore have historically served as a neutral arbiter, issuing rulings where appropriate and preserving order. I consider holding the Office of the President pro tempore and the responsibilities that come with it as one of the highest honors but also one of the most serious responsibilities of my career here in the Senate.

When presiding over an impeachment trial, the President pro tempore takes an additional—not just his regular role but an additional one to do impartial justice according to the Constitution and the laws. This is an oath that I take extraordinarily seriously.

In fact, to demonstrate my commitment to preside over the trial with fairness and transparency, before the trial I wrote a letter to every single Senator and the parties to the trial. In it I made clear my intention and my solemn obligation was to conduct the trial with fairness to all. I committed to adhering to the Constitution and to applicable Senate rules, precedents, and governing resolutions.

I committed to consulting with the Senate's esteemed and nonpartisan Parliamentarian, Elizabeth MacDonough, and I committed to being guided by Senate precedent should a motion or an objection or a request or an application be put before me. I reiterated that any decision I made—any decision I made—from the Chair would be subject to the review of the full Senate—every Democratic Senator, every Republican Senator, every Independent Senator. And I stated I would put any matter before the entire Senate in the first instance where appropriate in light of the precedents and practices of the Senate, giving all Senators an equal say in resolving the issue at the outset. I also informed all Senators, though, that I would enforce the Senate rules, and I would enforce the precedent governing decorum and do what I could to ensure the trial reflected the best traditions of the Senate.

Now, with the trial behind us, I believe I made good on those commitments. My job wasn't to shape the trial or to direct or slant it in any particular way but to make sure the rules were followed, the proceedings were fair to all parties, consistent with the will of the whole Senate, and I believe it was.